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Ballot Initiative Summary

Currently, a person who is not lawfully present in the United States may obtain an identification card, an instruction permit or a driver's license if certain requirements are met. One of the requirements is that the applicant presents a taxpayer identification card. The ballot initiative allows a social security number to also meet this requirement, also allows the license or identification card to be reissued or renewed in accordance with the process used for other licensees and identification cards, the department shall issue an identification document to any applicant in all department of motor vehicle offices, and there shall not be any limits to the number of identification documents issued.

1 *Be it Enacted by the People of the State of Colorado.*

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-505, amend (1)

3 introductory portion and (1)(c) as follows:

4 **42-2-505. Identification documents - individuals not lawfully**

5 **present. (1) Documents issued.** An individual who is not lawfully

6 present IN THE UNITED STATES may apply for an identification document

7 in accordance with this part 5. The department shall issue an

8 identification document to an applicant who:

9 (c) (I) Documents an individual taxpayer identification number

10 issued by the United States internal revenue service; ~~and~~ OR

11 (II) DOCUMENTS A SOCIAL SECURITY NUMBER ISSUED BY THE

12 UNITED STATES SOCIAL SECURITY ADMINISTRATION, WHICH

13 DOCUMENTATION MAY INCLUDE A SOCIAL SECURITY CARD OR ANY OTHER

14 DOCUMENTATION ACCEPTABLE TO THE DEPARTMENT AS PROVIDED BY

15 RULE IF THE FEDERAL GOVERNMENT CONFIRMS THE INDIVIDUAL'S SOCIAL

16 SECURITY NUMBER, INCLUDING ELECTRONIC CONFIRMATION THROUGH THE

17 SOCIAL SECURITY ONLINE VERIFICATION SYSTEM COMMONLY KNOW AS

18 SSOLV; AND

19 **SECTION 2.** In Colorado Revised Statutes, amend 42-2-509 as

1 follows:

2 **42-2-509. Renewal - duplicate - replacement - rule.**

3 **(1) Renewal.** An identification document issued under this part 5 expires
4 three years after issuance. The holder of the document must apply for
5 renewal IN ACCORDANCE WITH SECTION 42-2-118 OR 42-2-304 to continue
6 to hold a valid identification document:

7 **(2) Duplicate permits and minor licenses - replacement**
8 **licenses.** IF AN IDENTIFICATION DOCUMENT ISSUED UNDER THIS PART 5 IS
9 LOST, STOLEN, OR DESTROYED, THE PERSON TO WHOM IT WAS ISSUED MAY
10 OBTAIN A DUPLICATE OR REPLACEMENT IN ACCORDANCE WITH SECTION
11 42-2-117 OR 42-2-305.

12 **SECTION 3.** In Colorado Revised Statutes, 42-2-117, amend
13 (1.5) as follows:

14 **42-2-117. Duplicate permits and minor licenses - replacement**
15 **licenses.** (1.5) Upon furnishing satisfactory proof to the department that
16 a driver's license issued under ~~the provisions of this article~~ ARTICLE 2 has
17 been lost, stolen, or destroyed, the person to whom ~~the same~~ IT was issued
18 ~~shall~~ MAY apply for renewal of the license pursuant to section 42-2-118.
19 The new driver's license ~~shall expire~~ EXPIRES as provided in section
20 42-2-114 OR 42-2-509 (1).

21 **SECTION 4.** In Colorado Revised Statutes, 42-2-118, amend
22 (1)(a)(I), (1)(b)(I), (1.3)(a) introductory portion, (1.3)(a)(II), (1.5)(a)
23 introductory portion, and (1.5)(a)(II) as follows:

24 **42-2-118. Renewal of license in person or by mail - donations**
20 **to Emily Maureen Ellen Keyes organ and tissue donation awareness**

1 **fund - repeal.** (1) (a) (I) Every license issued under section 42-2-114
2 ~~shall be~~ OR 42-2-505 IS renewable prior to its expiration, upon application
3 in person, by mail as provided in subsection (1.3) of this section, or by
4 electronic means as provided in subsection (1.5) of this section; payment
5 of the required fee; passing of an eye test; passing of such other
6 examinations as the applicant's physical limitations or driver's record
7 indicates to be desirable; and payment of any penalty assessment, fine,
8 cost, or forfeiture as prescribed by subsection (3) of this section. If a
9 person renews his or her license pursuant to this ~~subparagraph (I)~~
10 SUBSECTION (1)(a)(I) by electronic means, the person ~~shall~~ MUST attest
11 under penalty of perjury that he or she has had an eye examination by ~~any~~
12 AN optometrist or an ophthalmologist within three years before the date
13 of application.

14 (b) (I) Any license referred to in section 42-2-114 OR 42-2-505
15 that, at the time of its expiration, is held by a resident of this state who is
16 temporarily outside of this state or is prevented by disability from
17 complying with ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF
18 THIS SECTION may be extended for a period of one year if the licensee
19 applies to the department for an extension of the expiration date ~~prior to~~
20 BEFORE the date the license expires and pays a fee set by the department
21 in accordance with section 42-2-114.5 (2). The department shall transfer
22 the fee to the state treasurer, who shall credit it to the licensing services
23 cash fund created in section 42-2-114.5 (1). ~~This~~ AN extension UNDER
24 THIS SUBSECTION (1)(b)(I) becomes null and void ninety days after the
25 licensee renews his or her residency in the state or otherwise becomes

1 able to comply with the provisions of ~~paragraph (a) of this subsection (1)~~
2 SUBSECTION (1)(a) OF THIS SECTION. The department shall NOT grant no
3 more than one extension under this ~~paragraph (b)~~ SUBSECTION (1)(b)
4 unless a resident of this state is temporarily residing in a foreign country,
5 in which case the department may grant no more than two extensions.

6 (1.3) (a) The department may, in its discretion, allow renewal of
7 a driver's license issued under section 42-2-114 OR 42-2-505 by mail
8 subject to the following requirements:

9 (II) Renewal by mail shall only be available every other driver's
10 license renewal period as provided in section 42-2-114 (2)(a) and (3) OR
11 42-2-509 (1);

12 (1.5) (a) The department may, in its discretion, allow renewal of
13 a driver's license issued under section 42-2-114 OR 42-2-505 by electronic
14 means subject to the following requirements:

15 (II) A person may renew a driver's license electronically only for
16 two consecutive driver's license renewal periods as provided in section
17 42-2-114 (2)(a) and (3) OR 42-2-509 (1);

18 **SECTION 5.** In Colorado Revised Statutes, 42-2-304, **amend**
19 (1.5)(b), (1.7)(a) introductory portion, (1.8)(a) introductory portion, and
20 (1.9)(a) introductory portion as follows:

21 **42-2-304. Validity of identification card - rules.** (1.5) (b) The
22 department ~~may~~ SHALL not renew an identification card for a person if the
23 person would not be eligible for an identification card pursuant to section
24 42-2-302 (2)(b) or (2)(c) OR 42-2-505.

25 (1.7) (a) If allowed under federal law, the department shall allow

1 renewal of an identification card issued under section 42-2-302 OR
2 42-2-505 by mail subject to the following requirements:

3 (1.8) (a) The department shall allow an applicant to renew an
4 identification card issued under section 42-2-302 OR 42-2-505 by
5 electronic means if the applicant:

6 (1.9) (a) The department may allow an applicant to renew an
7 identification card issued under section 42-2-302 OR 42-2-505 by
8 electronic means if the applicant:

9 **SECTION 6.** In Colorado Revised Statutes, add as follows:

10 42-2-505. Identification documents -- individuals not lawfully present.

11 (4) THE DEPARTMENT SHALL ISSUE AN IDENTIFICATION DOCUMENT TO ANY
12 APPLICANT IN ALL DEPARTMENT OF MOTOR VEHICLE OFFICES;

13 (5) THERE SHALL NOT BE ANY LIMITS TO THE NUMBER OF IDENTIFICATION
14 DOCUMENTS ISSUED.

14 **SECTION 7. Appropriation.** For the 2018-19 state fiscal year,

15 \$17,261,744 is appropriated to the department of revenue. This appropriation

16 from the licensing services cash fund created in section 42-2-114.5 (1),

17 9 C.R.S. To implement this ballot initiative, the department may use this appropriation

18 for DMV IT system (DRIVES) Support.

19 **SECTION 8. Effective date.** This ballot initiative takes effect upon passage.